

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

KJ TAX & ACCOUNTING, LLC
501 E. Main Street
Waterford, WI 53185,

and

ADVANCED OFFICE SOLUTIONS, LLC
501 E. Main Street
Waterford, WI 53185

Plaintiffs,

v.

Case No. _____

STATE FARM FIRE AND CASUALTY COMPANY
c/o CORPORATION SERVICE COMPANY
8040 Excelsior Drive, Suite 400
Madison, WI 53717,

Defendant.

NOTICE OF REMOVAL

Defendant State Farm Fire and Casualty Company, by its attorneys Boardman & Clark LLP, by Sarah A. Zylstra, hereby removes Racine County Circuit Court Case No. 19-CV-792, *KJ Tax Accounting LLC et al. v. State Farm Fire and Casualty Company*, to the U. S. District Court for the Eastern District of Wisconsin pursuant to 28 U.S.C. §§ 1441 and 1446. Subject matter jurisdiction is present under 28 U.S.C. § 1332. In support of the notice of removal, defendant states as follows:

1. On January 25, 2019, plaintiffs KJ Tax Accounting, LLC (“KJ Tax”) and Advanced Office Solutions, LLC (“Advanced”) commenced this action against State Farm Fire and Casualty Company by filing a summons and complaint in the State of Wisconsin, Circuit Court for Racine

County, Case No. 19-CV-792. The complaint alleges a breach of contract and bad faith action relating to a claim they reported to State Farm and seeks both compensatory and punitive damages. Plaintiffs served “Plaintiffs’ First Set of Written Interrogatories and Request for Production of Documents to State Farm Fire and Casualty Company” along with the summons and complaint. A true and correct copy of the summons, complaint and discovery is attached as Exhibit A.

2. State Farm Fire and Casualty Company is incorporated under the laws of the State of Illinois and has its principal place of business in Bloomington, Illinois. State Farm Fire and Casualty Company is a citizen of the State of Illinois for purposes of federal court jurisdiction under 28 U.S.C. § 1332.

3. Plaintiff KJ Tax & Accounting, LLC is a limited liability company organized under the laws of the State of Wisconsin. Upon information and belief, the only member of KJ Tax is James Filicetti, who is a citizen of Wisconsin.

4. Plaintiff Advanced Office Solutions, LLC is a limited liability company organized under the laws of the State of Wisconsin. Upon information and belief, the only member of Advanced is James Filicetti, who is a citizen of Wisconsin.

5. Although the state court complaint does not allege an amount in controversy, defendant believes in good faith that the amount in controversy exceeds \$75,000.00, exclusive of interest and costs. Defendant received correspondence from plaintiffs prior to suit asserting damages of over \$500,000.00. Plaintiff has also sought punitive damages in his complaint.

6. The summons and complaint were served upon State Farm Fire and Casualty Company on February 4, 2019, and therefore this notice of removal is timely.

7. The U.S. District Court for the Eastern District of Wisconsin has original jurisdiction over this case pursuant to 28 U.S.C. § 1332(a), which may be removed to this Court pursuant to the provisions of 28 U.S.C. § 1441, because this is a civil action between citizens of different states in which the amount in controversy exceeds \$75,000.00 exclusive of interest and costs.

8. Written notice and a copy of this notice of removal will be filed with the Clerk of Court for the Circuit Court for Racine County, Wisconsin, and served on plaintiffs' counsel, as required by 28 U.S.C. § 1446(d).

WHEREFORE, defendant State Farm Fire and Casualty Company requests that this action be removed to this Court for all further proceedings.

DEFENDANT HEREBY DEMANDS A TRIAL BY JURY.

DATED this 5th day of March, 2019.

BOARDMAN & CLARK LLP

By

/s/ Sarah A. Zylstra

Sarah A. Zylstra, State Bar No. 1033159

Attorneys for Defendant State Farm Fire and Casualty
Company

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